



General Assembly

January Session, 2009

Committee Bill No. 257

LCO No. 2948

02948SB00257KID

Referred to Committee on Select Committee on Children

Introduced by:
(KID)

AN ACT CONCERNING THE APPLICATION OF PESTICIDE AT DAY CARE FACILITIES.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 19a-79a of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2009*):

3 (a) As used in this section, "pesticide" means a fungicide used on
4 plants, an insecticide, a herbicide or a rodenticide but does not mean a
5 sanitizer, disinfectant, antimicrobial agent or a pesticide bait, and
6 "lawn care pesticide" means a pesticide registered by the United States
7 Environmental Protection Agency and labeled pursuant to the federal
8 Insecticide, Fungicide and Rodenticide Act for use in lawn, garden and
9 ornamental sites or areas.

10 (b) No [application of pesticide may be made] person shall apply
11 pesticide in any building or on the grounds of any child day care
12 center, group day care home or family day care home, each as
13 described in section 19a-77, [during regular business hours] except that
14 [an emergency application may be made] a pesticide applicator with
15 supervisory certification under section 22a-54 or a pesticide applicator

16 with operational certification under section 22a-54 under the direct
17 supervision of a supervisory pesticide applicator, may make an
18 emergency application to eliminate an immediate threat to human
19 health [if (1) it is necessary to make the application during regular
20 business hours, and (2)] as determined by the local health director or
21 the Commissioner of Public Health, including, but not limited to, for
22 the elimination of mosquitoes, ticks and stinging insects, provided
23 such emergency application does not involve a restricted use pesticide,
24 as defined in section 22a-47. No child enrolled at such center or home
25 may enter an area where pesticides have been applied until it is safe to
26 do so according to the provisions on the pesticide label.

27 [(c) No person shall apply a lawn care pesticide on the grounds of
28 any child day care center or group day care home, as described in
29 section 19a-77, except that an emergency application may be made to
30 eliminate an immediate threat to human health, including, but not
31 limited to, the elimination of mosquitoes, ticks and stinging insects,
32 provided such emergency application does not involve a restricted use
33 pesticide, as defined in section 22a-47.]

34 (c) On and after October 1, 2009, each provider of child day care
35 services, as defined in section 19a-77, shall provide the parents or
36 guardians of each child enrolled for such services an annual written
37 statement of the provider's policy on pesticide application and a
38 description of any pesticide application made at the day care facility
39 during the previous twelve months. Such statement shall indicate that
40 the parents or guardians may request prior notice of pesticide
41 applications at the day care facility. Prior to providing for any
42 application of pesticide within any building or on the grounds of any
43 day care facility, the provider shall notify the parents and guardians
44 who have requested prior notice under this subsection by any means
45 practicable no later than twenty-four hours prior to such application.
46 Notice under this subsection shall include (1) the name of the active
47 ingredient of the pesticide being applied, (2) the target pest, (3) the
48 location of the application on the day care facility property, and (4) the

49 proposed date of the application. A copy of the record of each pesticide
 50 application at a day care facility shall be maintained at such facility for
 51 a period of five years. For the purposes of this subsection, "day care
 52 facility" means a child day care facility, group day care home or family
 53 day care home that provides "child day care services" as defined in
 54 section 19a-77.

This act shall take effect as follows and shall amend the following sections:

Section 1	October 1, 2009	19a-79a
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Statement of Purpose:

To allow for the application of pesticide at a day care center by certified pesticide applicators in an emergency and require parental notification of any such application.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]

Co-Sponsors: SEN. MEYER, 12th Dist.

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